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Charter and By-Laws

—OF—

Oberlin College

With Amendments to Date of
January 1, 1916

Gift
Mrs. Wm. H. Baldwin
Feb. 25 1927

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Charter of Oberlin College

AN ACT TO INCORPORATE THE OBERLIN COLLEGIATE INSTITUTE

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That Henry Brown, John Keys, Eliphalet Redington, Joel Talcott, Addison Tracy, Jabez L. Burrell, Philip P. Stewart,* Peter P. Pease, and John J. Shipherd, of the county of Lorain, and their associates and successors, be, and they are hereby created a body politic and corporate, to be styled the Board of Trustees of the Oberlin Collegiate Institute, and, by that name, to remain in perpetual succession, with full power to sue and be sued, to plead and be impleaded, to acquire, hold, and convey property, real and personal, to have and use a common seal, to alter and renew the same at pleasure; to make and alter, from time to time, such by-laws as they may deem necessary for the government of said institution, its officers, students, and servants: Provided, such by-laws shall not be inconsistent with the Constitution and laws of the United States and of this State; also, to have power to confer on those whom they may deem worthy, such honors and degrees as are usually conferred in similar institutions.

SEC. 2. That the said institution shall remain where it is now located, in Russia, Lorain County, and shall afford instruction in the liberal arts and sciences; and the Trustees may, as they shall find themselves able, and the public good shall require, erect additional departments for such other branches of education as they may think necessary or useful.

SEC. 3. That the Board of Trustees shall, from time to time, appoint a President and other officers and instructors, and also agents of the institution as may be necessary; and shall have power to displace and remove any or either of them for good and sufficient reasons; and also to increase the number of their Board to twelve, exclusive of the President, fill vacancies which may occur by resignation, death, or otherwise in said Board or among said officers or agents, and prescribe and direct the course of study to be pursued in said institution and its departments.

SEC. 4. The President of the institution shall be *ex-officio* a member of the Board of Trustees, and President of the same, and in

*Name printed in original article of incorporation as Philip P. Stewart; it should have been Philo P. Stewart.

his absence the Board shall elect one of its members to preside for the time being, and if any of said Trustees shall be permanently appointed President of said institution his office as Trustee shall be deemed vacant, and the Board of Trustees shall fill the same.

SEC. 5. Any seven of the twelve members of the Board of Trustees shall constitute a quorum to do business; and the Board shall hold their first annual meeting on the second Monday of March, 1834, at Oberlin, in the Township of Russia, in Lorain County, and afterwards they shall meet on their own appointment; but, in case of necessity, the President, with the advice of two Trustees, may call a special meeting of the Board, or any five members of the Board may call such a meeting by giving notice to each member at least seven days before the time of said meeting.

SEC. 6. The Board of Trustees shall faithfully apply all funds by them collected and received, according to their best judgment, in erecting suitable buildings, supporting the necessary officers, instructors, and agents, and in procuring books, maps, charts, and other apparatus necessary to the well-being and success of the institution: Provided, nevertheless, that in case any donations or bequests shall be made for particular purposes not inconsistent with the designs of this institution, and the Trustees shall accept and receive the same, every such donation or bequest shall be applied in conformity to the conditions or designs of the donor.

SEC. 7. The Treasurer of the institution shall always, and all other agents when required, before entering on the duties of their appointments, give bonds for the security of the corporation and the public in such penal sum, and with such securities as the Board of Trustees shall approve; and all process against the corporation shall be by summons, and the service of the same shall be by leaving an attested copy thereof with the Treasurer of the institution, at least ten days before the return thereof.

SEC. 8. The Legislature shall have a right to amend, or repeal, this act when they deem it necessary: Provided, that no fund or property belonging to the said institution shall ever be by law appropriated to any other purpose than those named in this Charter.

JOHN H. KEITH,
Speaker of the House of Representatives.
DAVID T. DISNEY,
Speaker of the Senate.

Passed, February 28, 1834.

AN ACT TO AMEND THE ACT ENTITLED "AN ACT TO INCORPORATE THE OBERLIN COLLEGIATE INSTITUTE"

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That from and after the passage of this act, the name and title of THE OBERLIN COLLEGIATE INSTITUTE, at Oberlin, Lorain County, be changed to the name of OBERLIN COLLEGE; subject to all the provisions and enactments of an act to incorporate the "Oberlin Collegiate Institute," passed February 2, 1834,* and the acts amendatory thereto.

BENJAMIN F. LEITER,
Speaker of the House of Representatives.
CHARLES C. CONVERSE,
Secretary of the Senate.

Passed, March 21, 1850.

AN ACT TO AMEND SUPPLEMENTARY SECTION 3771 a

SECTION 1. Be it enacted by the General Assembly of the State of Ohio, That supplementary Section 3771a of the Revised Statutes of Ohio, passed April 15, 1889, be so amended as to read as follows:

SECTION 3771a. The Board of Trustees of any university or college heretofore incorporated, but not under the patronage of conferences or other ecclesiastical bodies of any religious denomination, as described in Section 3736, may increase the number of such Trustees to twenty-four, exclusive of the president, or a less number, and may divide said Trustees into six †classes, each class to serve six years, and one class to be chosen each year, for said term; but one trustee of each class may be chosen by the votes of the alumni of such university or college, if the Board of Trustees shall so provide by by-law, in which case it shall also be the duty of the Board of Trustees to provide, by such by-laws, a method of nominating and electing such appointee of

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*The date here given is erroneous. It should have been February 28, 1834.

†The Act of April 15, 1889 (86 Ohio Laws, 341), corresponded with this, except that by clerical error it used the word "four" at this point.

Trustees J. D. Cox, J. E. Ingersoll, and E. W. Metcalf, committee, in their report, January 27, 1892, speak of this legislation thus:

"Your committee on a former reference of the matter to them found that there was then no legislation authorizing the election of Alumni Trustees in colleges not under the patronage of ecclesiastical organizations. They drafted an amendatory section of the general corporation laws of the state, and by the efficient aid of the members of the General Assembly from Lorain County, procured its enactment. It now stands as Section 3771a of the Revised Statutes.

A clerical error crept into the printed copy of the bill, for this purpose, and passed into the enacted law. To modify this, your committee proposed a further amendment and with the same aid as before secured its enactment. It corrects Section 3771a of the Revised Statutes, and is found in the Laws of Ohio, annual, Volume 87 (for 1890), page 188."

the alumni. The President of such university or college shall, ex-officio, be a Trustee perpetually, and shall not be included in the classes going out in rotation. If it shall be necessary, in the first enlargement of the board of Trustees, under this section, to distribute new members to the several classes, whose terms shall expire by rotation, the distribution may be made in such manner as the Board may direct, so that no Trustee shall be elected for a longer term than six years.

SEC. 2. That said original supplementary Section 3771 a, be and the same is hereby repealed; and this act shall take effect on its passage.

NIAL R. HYSELL,
Speaker of the House of Representatives.
PERRY M. ADAMS,
President pro tem. of the Senate.

Passed, April 11, 1890.

GENERAL CODE OF THE STATE OF OHIO (1910)

The preceding Act (3771a) appears in the General Code of the State of Ohio (codification of 1910) as follows:

SECTION 9978. The board of trustees of a university or college heretofore incorporated, but not under the patronage of conferences or other ecclesiastical bodies of any religious denomination, may increase the number of such trustees to twenty-four, exclusive of the president, or a less number, and divide such trustees into six classes, each class to serve six years, and one class to be chosen each year, for such term. One trustee of each class may be chosen by the votes of the alumni of such university or college, if the board of trustees so provides by by-law, in which case the board also shall provide by such by-laws a method of nominating and electing such appointee of the alumni.

SECTION 9979. The president of such university or college shall ex-officio, be a trustee perpetually, and not be included in the classes going out in rotation. If in the first enlargement of the board of trustees, under the preceding section, it be necessary to distribute new members to the several classes, whose terms will expire by rotation, the distribution may be made in such manner as the board directs so that no trustee shall be elected for a longer term than six years.

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By-Laws of Oberlin College

[Adopted by the Board of Trustees, November 18, 1905, corrected to date of January 1, 1916.]

ARTICLE I

Of the Trustees: Their Number, Manner of Selection and Terms of Office; Alumni Trustees

Section 1. Pursuant to the Act of the General Assembly of Ohio passed April 11, 1890, this Board now consists of 24 Trustees, divided into six classes, providing for 4 Trustees in each class, who hold office for terms of six years each.

The membership of the Board at the time of the adoption of the By-laws was as follows: term expires January 1, 1906, H. Clark Ford, Homer H. Johnson, Sydney D. Strong, James O. Troup; term expires January 1, 1907, Frederick N. Finney, Edward J. Goodrich, Louis H. Severance, Lucien C. Warner; term expires January 1, 1908, William C. Cochran, Franklin S. Fitch, Irving W. Metcalf, Merritt Starr; term expires January 1, 1909, Amzi L. Barber, Charles Finney Cox, William N. Gates, Judson Smith; term expires January 1, 1910, Dudley P. Allen, John G. W. Cowles, Charles S. Mills, Henry M. Tenney; term expires January 1, 1911, Theodore E. Burton, Paul D. Cravath, Charles J. Ryder, Charles B. Shedd.

Sec. 2. At the annual meeting preceding the expiration of the terms of any class of the Trustees as aforesaid, three Trustees shall be elected by the Board for a term of six years to fill three places in said class; the fourth shall be elected by the Alumni as hereinafter provided.

The term of office of each Trustee shall begin at 12 o'clock M. on January the first next following his election and expires six years thereafter.

Sec. 3. Nine Trustees shall constitute a quorum of the Board.

Sec. 4. A standing committee of three members of the Board, on nominations to fill vacancies in the Board of Trustees, shall be chosen at each annual meeting of the Board.

The Secretary shall notify said committee of any vacancy which may occur in the Board.

Said committee shall thereupon (except in the case of President or among the Alumni Trustees) invite nominations to fill such vacancy from all members of the Board; and at the next meeting of the Board report, nominating at least two persons for each such vacancy.

At any election to fill such vacancy the Board may choose from the persons so nominated or otherwise.

SEC 5. Clause 1. One Trustee of the College, who shall be an Alumnus of Oberlin College, shall be elected each year by the Alumni and shall hold his office for six years, being one of the class of four in the Board of Trustees annually elected.

SEC. 5. Clause 2. The Alumni for the purpose of such election shall be held to comprise regular graduates of the College, from any course of study in the Theological Seminary, from the College of Arts and Sciences, and former courses whose work is comprised therein, and from the Conservatory of Music, and also any person upon whom the College has conferred an honorary degree.

SEC. 5. Clause 3. The election shall be conducted by the Secretary of the College as follows: On or about the first of May in each year a printed blank or slip shall be sent to each of the Alumni whose residence is known, on which slip the name of the outgoing Alumni Trustee shall be given and a nomination requested for the ensuing term as his successor, and said slip shall also show the names and residences of all the members of the Board of Trustees, with designation of those who are Alumni Trustees.

Upon the first of August such nomination shall be canvassed by the Secretary and Librarian of the College and the result tabulated and entered upon the College records. The Secretary shall send out, as before, printed tickets containing the five names of the nominees having the highest number of nominating votes, * on which shall be stated the date of graduation, the residence and occupation of each of such nominees, and each of the Alumni may mark his choice of one of said five and return his ballot to said Secretary; the ballot cards for foreign countries shall be mailed on August 15th, and for the United States, on October 1st. † On the first of November the Secretary and Librarian shall canvass the ballots cast, and the person who shall have the highest number of votes shall be declared elected. The result shall

*At the meeting of the Board of Trustees held November 14, 1913, the Secretary reported that one of the five nominees had asked that his name be withdrawn from the final ballot. It was agreed that the Board of Canvassers shall have the power to withdraw any name from the final ballot, where the nominee so requests, substituting therefor the name of the person who received the next highest number of nominating votes.

†As amended November 13, 1908.

be tabulated and recorded as before, and the canvassing officers shall notify the Board of Trustees and the Trustee-elect of the election.

Sec. 5. Clause 4. In case of the sickness, absence, or other disability of the Secretary or Librarian, or both, his or their duties in the matter of such election shall be performed by such substitutes as the President of the College may appoint.

Sec. 5. Clause 5. * In case any alumni trustees should die or resign before the regular notices for the preliminary ballot have been mailed, the notices should state the fact of such death or resignation and call for nominations of an alumni trustee to serve for the unexpired term. Should such vacancy occur after the regular notices have been mailed and before August 1st, new notices shall be mailed calling for such nominations. Should such vacancy occur after August 1st, nominations to fill such vacancy shall be called for in the notices sent out the following year. The ballot tickets to be sent out by the Secretary shall contain six names and the alumni shall be asked to vote for two candidates when two Alumni Trustees are to be elected, and so on.

Sec. 5. Clause 6. In case of a tie vote, the canvassers shall report the fact to the President, and the President shall by lot determine between the candidates.

Sec. 5. Clause 7. The term of each Alumni Trustee shall be coincident with that of the class of Trustees to which he is elected.

Sec. 6. No person while a teacher in the institution shall be eligible to election as a Trustee except by election as President and *ex-officio* Trustee.

Sec. 7. No denominational test is imposed in the choice of trustees, officers, or teachers, or in the admission of students, nor are distinctly denominational tenets or doctrines taught to the students.

ARTICLE II

Of the Officers of the Board; Terms of Office; Salaries

Section 1. The officers of the Board (other than the President provided for by the Charter) shall be a Treasurer, and a Secretary.

Sec. 2. The President, Treasurer, and Secretary shall respectively be chosen by ballot and shall hold office during the pleasure of the Board.

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*As amended June 17, 1907.

SEC. 3. The salaries of the President, Treasurer, and Secretary shall be fixed for each fiscal year of the College at least three months prior to the beginning of said year and not be changed during the year. If not otherwise fixed the salary of any year shall be the same as that for the preceding year.

ARTICLE III

OF THE PRESIDENT'S OFFICE: THE PRESIDENT; THE ASSISTANT TO THE PRESIDENT

SECTION 1. The President shall be chosen by ballot and when chosen shall serve during the pleasure of the Board.

SEC. 2. He shall be *ex-officio* a member of the Board, and shall preside at all its meetings.

SEC. 3. He shall have power to call special meetings of the Board at any time on seven days' written notice mailed to the Trustees at their last known addresses respectively.

SEC. 4.* He shall supervise the work of all departments and officers, agents, teachers and employes of the College. He shall also participate at his discretion in the outside representation of the College, and he shall be primarily responsible, in coöperation with the Board of Trustees, for the financial development of the College, including especially the direction of all matters relating to augmenting its resources.

SEC. 5. He shall be *ex-officio* a member of the Prudential Committee and of the Investment Committee.

SEC. 6. He shall be Chairman of the General Council and of the General Faculty, and of all subordinate councils and faculties.

SEC. 7. He may attend any meeting of any committee or body subordinate to the Board or to any of the faculties, and share in the deliberations thereof, but without vote unless made a member of such subordinate body or committee, and he is *ex-officio* Chairman of the Committee on Appointments of the General Council, and of the Committee on Nominations of the General Faculty.

SEC. 8. He may grant temporary leave of absence to any officer, agent, teacher, or employe.

SEC. 9.* He may, with the approval of the General Council and of

*As amended June 19, 1911.

the Prudential Committee, suspend any officer, agent, teacher, or employe of the College, reporting his reasons therefor in writing to the next meeting of the Board, the action to be subject to the approval of the Board.

Sec. 10. He shall perform all duties imposed by law upon the executive head of the corporation.

Sec. 11. He shall prepare and distribute to the Trustees as early as practicable prior to the time fixed by by-law for the annual meeting a report in writing or print of the affairs and condition of the College, the work of the previous year, and such recommendations and suggestions as he may deem fit. Such report may include reports from the heads of departments of administration, and from other officers at the discretion of the President.

Sec. 12. The Assistant to the President, who shall not be a member of the Board of Trustees, shall coöperate with the President in strengthening and developing the College on every side. He shall be especially charged, in consultation with the President, with the work of maintaining and enlarging the friendly and supporting constituency of the College, and of increasing its material resources. He shall particularly seek to make close and helpful the relation between the College and its alumni and former students, and shall be responsible, unofficially, for the progress of the Living Endowment Fund.

Sec. 13. He shall be *ex-officio* a member of the Prudential Committee, a member of the General Faculty with the rank of Professor, and a member of the Faculty Committee on Supervision of Appeals to Alumni.

Sec. 14. He shall each year, or oftener if desired, give to the Trustees a full report of his activities.

ARTICLE IV

Of the Treasurer

Section 1. The Treasurer, who shall not be a member of the Board of Trustees, shall have charge of matters of Finance and Accounts. He shall have the custody of all the funds, securities, investments, muniments of title, *indicia* of ownership, assets, properties, choses in action, accounts and items of credit and things receivable by or belonging to the College. He shall be *ex-officio* a member of the Investment Committee and Secretary thereof. He shall also be *ex-officio* a member of the Prudential Committee.

*Any trust company or corporation organized under the laws of Ohio and authorized by these laws to act as trustee of trust funds and active trusts shall be eligible to be chosen and hold office as Treasurer of the College, or to become depositary and trustee of funds under the direction of the Board of Trustees, as the Board may from time to time direct.

SEC. 2. He shall annually give bond for the faithful performance of the duties of his office in the sum of $50,000, with a surety company as surety, to be approved by the Board, the expense of which shall be borne by the corporation. The Board may, from time to time, require additional bonds from the Treasurer.

SEC. 3. He shall keep in just and accurate books of account, records of all the assets, liabilities, resources and obligations, receipts and expenditures and financial and property transactions of the corporation. Said books shall include separate and distinct accounts of all the trust funds held by the College, with record of the manner and form in which the same are invested, and the receipts and disbursements thereof. An annual balancing and rest shall be written upon said books of account, and an annual balance sheet and report shall be prepared and furnished by the Treasurer to the Trustees at least one month prior to the time fixed by by-law for the annual meeting.

SEC. 4. He shall furnish to the Prudential Committee, and to the General Council at least one month prior to the time fixed by by-law for the annual meeting of the Trustees a statement of the receipts and expenditures of the past and current year, and the probable receipts as estimated by himself for the ensuing year, for use by these bodies and the Trustees in preparing budgets for the ensuing year; and shall keep in well bound and indexed books provided for that purpose copies of such statements and budgets for each year.

SEC. 5. Each department, except the Conservatory as hereinafter provided for, shall contribute for the share of that department in the general (or university) expenses of the institution which are for the corporation as a whole and not assignable to any one department, such sums as may be determined by the Trustees from time to time.

SEC. 6. In the case of the Conservatory any excess of receipts over expenses shall be used to form a surplus fund to meet possible deficits in other years, or, upon vote of the Trustees, to be used in

*As amended June 14, 1915.

the development of the department.* The Conservatory shall contribute toward the university expenses such amount as shall be determined from time to time by vote of the Trustees based upon what shall seem upon careful investigation to be equity in the matter.

Sec. 7. To each department shall be credited all funds given for the endowment of that department and the income from such endowment shall be devoted to the support and development of departmental work.

Sec. 8. All undesignated funds, all funds donated for general endowment purposes and all funds designated for specific purposes of general interest shall be classed as general (or university) funds. From the income of these funds, with the exception of funds designated for specific purposes, shall be paid general (or university) expenses proper (*i. e.,* expenses for the benefit of the corporation as a whole and not assignable to any one department), and the deficits, if authorized by the Board, of all departments except the Conservatory, and the remainder of said income shall be devoted to the use of the department of Arts and Sciences; but all remaining subject to the disposition of the Trustees.

Sec. 9. The financial year shall begin with September 1st of each year and close with August 31st next following.

Sec. 10. The Treasurer shall, from time to time, print and distribute to the Trustees for the information of Trustees, copies of the college charter, of the statutes of Ohio especially applicable to the college, of these by-laws, and of the several special deeds, agreements and instruments of trust prescribing and defining the terms of the trusts upon which the property of the corporation is held.

Sec. 11.† There shall be an Assistant Treasurer appointed by the Board of Trustees who shall assist the Treasurer in the performance of his duties and be subject to his direction. The Assistant Treasurer shall annually give bond for the faithful performance of the duties of his office in the sum of $20,000, with a surety company as surety, to be approved by the Board, the expense of which shall be borne by the corporation. At the discretion of the Prudential Committee other clerks in the Treasurer's office may be required to furnish bond, in amounts to be decided by the Committee, the expense of which shall be borne by the corporation.

*This rule is based upon the agreement between the Trustees and Professor F. B. Rice, of the Conservatory, as recorded in the vote of the Trustees, June 29, 1885, as follows: "That a definite salary be paid to the Director and Teachers of the Conservatory, for which the College shall be responsible as in the case of other teachers; it being understood that all the receipts of the Conservatory shall be devoted to its uses and that the Conservatory shall be self-sustaining."

†As amended June 20, 1910.

ARTICLE V*

Of the Records of the Corporation; the Secretary

Section 1. The Secretary, who shall not be a member of the Board of Trustees, shall have charge of the records and correspondence of the corporation.

Sec. 2. He shall be the Secretary of the Board of Trustees, *ex-officio* a member of the Prudential Committee, and Secretary thereof. He shall keep records of the members present and of the proceedings of each of these bodies at all meetings. At the opening of each meeting of these bodies respectively the record of its proceedings shall be read by the Secretary unless otherwise ordered.

Sec. 3. He shall preserve the records of such proceedings in well-bound books, and the same shall be open to the inspection of any member of the Board of Trustees or of the General Council at all reasonable times.

Sec. 4. He shall conduct such correspondence as pertains to his office or as the President may require.

Sec. 5. He shall prepare and distribute to the Trustees at least one week prior to the time fixed by by-law for the annual meeting the proceedings during the previous year of the several bodies for which he keeps the records. He shall make a report in writing or print, showing the statistics of the officers of instruction and government, and of the students of the College, the list of courses of studies taught and the number of students therein, during the previous year, with such comparisons and tables as will exhibit to the Trustees the present work of the College and the tendencies thereof. The Secretary may at any time of his own motion, or as he may be directed by the Trustees, make further reports of any matter pertaining to his office or conduct.

Sec 6. He shall mail a written notification to each Trustee of all regular or special meetings of the Board. He shall give ample notification of all special meetings of faculties and committees of which he keeps the records, to the members of such bodies respectively in accordance with the by-laws or the directions of such bodies.

Sec. 7. He shall, under the direction of the President and General Faculty, prepare and publish the annual catalogues of the College, containing lists of the officers, teachers, employes, and students, and statements of courses of study; he shall also prepare the quinquennial

*As amended June 20, 1910, and June 23, 1913.

catalogue of officers, teachers, and alumni, and such other catalogues, prospectuses, announcements, bulletins, and documents as the President or General Faculty may direct.

SEC. 8. He shall produce at each meeting of any of the bodies whose records he keeps, the records for the current year and for the preceding meetings. He shall also acquaint the presiding officer in writing what business is by assignment to come before the body, and what committees are outstanding, and what committees have and have not reported, what reports are received and awaiting action, and, so far as practicable, what business remains unfinished from previous meetings. For the meetings of the Board of Trustees, the Secretary, in consultation with the President, and in accordance with the order of business prescribed in Article XIV of the By-Laws, shall prepare a detailed docket, to be sent to the Trustees one week before each regular meeting.

SEC. 9. He shall be custodian of the seal of the corporation.

The seal of the corporation, which was adopted on the 18th day of February, 1852, and which has since then been in use, is hereby continued. Said seal is circular in form with two enclosing circles displaying upon the enclosed field a representation of a field of grain and a college building, and in the margin below, the motto, Learning and Labor; and in the margin above, the name of the College, all as here impressed or portrayed, viz.:*

SEC. 10. All reports of committees involving the expenditure of money shall be in writing, and, unless otherwise ordered, preserved in files by the Secretary.

*The seal here shown is a new drawing, authorized by the Board of Trustees by vote of June 19, 1911. The former seal had become indistinct from long usage. In order that future seals may not vary from the present drawing, four plaster casts of the seal have been made. These are permanently placed as follows: One in the President's office, one in the Secretary's office, one in the Treasurer's office, and one in the College Library.

Sec. 11. The Secretary shall keep the records, reports, and documents in his custody so classified, arranged and indexed as to be accessible to the Trustees at all times.

Sec. 12. All resignations of office by any officer or member of the Board, or by any member of any of the Faculties, shall be in writing, and kept on file with the Secretary.

Sec. 13. He shall perform all duties imposed by law on the Secretary, Clerk, or Recording officer of the corporation, unless the same is otherwise lawfully provided for by by-laws.

Sec. 14.* There shall be an Assistant Secretary, appointed by the Board of Trustees, who shall assist the Secretary in the performance of his duties and be subject to his direction. The Assistant Secretary shall be a member of the General Faculty, the College Faculty, the General Council, and the College Council, with rank of Associate Professor..

ARTICLE VI

Of Finance; the Investment Committee; the Auditing Committee

Section 1. The Trustees shall at each semi-annual meeting adopt a Budget to be known as the Annual Appropriation Budget, appropriating to special objects so far as they deem wise the moneys to be expended during the next following financial year. Other appropriations may be made at semi-annual meetings or at called meetings; but no money shall be expended except by vote of the Trustees appropriating the same, or by vote of the Prudential Committee as provided in Article VIII, Section 3.

Sec. 2. No such annual appropriation budget shall be adopted by the Board, and no other appropriation at any time shall be made, appropriating in the aggregate more moneys to be expended during any current financial year than the amount of the estimated probable receipts shown by the Treasurer's statement, unless at such meeting it shall be adopted by the ballots in favor thereof of three-fourths of the members of the Board of Trustees present.

Sec. 3. In making appropriations the Trustees may designate what moneys are to be expended under the direction of the different committees and subordinate faculties of the different departments.

Sec. 4. An Investment Committee shall be appointed annually by the Trustees, which shall superintend all investments of College funds.

*As adopted June 23, 1913.

It shall consist of six members, viz.: the President and Treasurer of the College and four members of the Board.

The Investment Committee shall hold its meetings at such times and places as the committee may select.

The Treasurer shall be Secretary of the Investment Committee and keep permanent records of its proceedings.

No investment shall be made in which any member of the Committee has a pecuniary interest.

The Investment Committee shall at each annual meeting submit to the Trustees a full and complete statement of the nature and condition of all investments, and a copy of all the proceedings for the preceding year.

Sec. 5. Each Departmental Council shall annually prepare and send to the General Council a statement and proposal for a Budget which shall show the receipts and expenditures of that department for the past year and the probable receipts and proposed expenditures for the ensuing year.

Sec. 6. In case of the proposed organization of a new department the following principle shall govern: So long as the Departmental and General Endowments remain inadequate to meet the demands upon the corporation as at present constituted, a new department shall be added only when a sum has been acquired for that specific purpose, the income of which is sufficient to meet the expenses of the proposed department, together with its equitable share of the general (or university) expenses, or when the tuitions of the proposed department are so established that the income therefrom shall cover the above named expenses.

Sec. 7. An Auditing Committee of two members shall be chosen at each annual meeting of the Trustees, who shall hold office for one year. Such committee shall examine and audit the books and accounts of the Treasurer at least once in the year and at such other times during the year as they see fit. They may employ expert accountants to assist in such work, and shall report the result of their examination in writing to the Board. The reports of the Auditing Committee shall be preserved in well-bound books kept for that purpose.

ARTICLE VII

Of the Committee on Appointments

Section 1. A Committee on Appointment shall be selected annually by the Trustees, which shall consist of four Trustees, to which shall stand referred all nominations from the General Council or

otherwise for the appointment of professors, instructors, or teachers, for their consideration and report.

Sec. 2. The Departmental Councils shall have the right to make, through the General Council, nominations of professors or instructors in their respective departments. The right is reserved to the Trustees to make and consider such nominations and appointments as they see fit.

Sec. 3. To this Committee shall be referred all important proposed changes in courses of study, and all nominations of professors and instructors coming from the General Council; and by this Committee these changes and nominations shall be presented to the Board with its recommendations.

ARTICLE VIII

Of the Prudential Committee

Section 1. A Prudential Committee shall be chosen by the Trustees at each annual meeting, consisting of the President, the Assistant to the President, the Treasurer, the Secretary, and seven others, to whom shall be entrusted the management of the concerns of the Board of Trustees according to the direction of the Board in the intervals when the Board is not in session. Five members shall constitute a quorum.

Sec. 2. The Prudential Committee shall administer the affairs of the College which are not especially intrusted to the President, Treasurer, Secretary, Faculty, or other Committees of the Trustees.

Sec. 3. Any expenditure not previously authorized by the Trustees can be made only on the approval of the Prudential Committee.

Sec. 4. In all affairs of minor importance the action of the Prudential Committee, subject to the adoption of such action by the Trustees at their meetings, shall be final; but on any matters of importance which admit of delay, final action shall be reserved and presented to the Trustees with their recommendation.

Sec. 5. The General Council shall annually prepare and submit to the Trustees a budget for all departments. Said budget of the General Council shall be transmitted to the Prudential Committee before it is transmitted to the Trustees, and the Prudential Committee may indicate their approval of the proposed budget, or may submit the same with amendments, or may transmit with the same an independent budget.

Sec. 6. In case of peculiar exigencies, such as that of a vacancy in the Faculty occurring in the intervals between meetings of the Trustees, the Prudential Committee, on the nomination of the Departmental Council through the General Council, may make a temporary appointment to fill the vacancy for the remainder of the current school year.

Sec. 7. General supplies shall be purchased by the Superintendent of Buildings and Grounds or by the Treasurer; special supplies may be purchased by the head of the department of administration or instruction, in whose hands special funds have been placed under the budget. Purchases shall be made only as provided by the budget or by the vote of the Prudential Committee. All bills shall be presented to the Treasurer, shall be paid by him direct, and with the vouchers shall be filed in the records of his office.

Sec. 8. Charges by the corporation for rooms, board, and other commodities, if supplied by the corporation, shall be determined by the Prudential Committee subject to the approval of the trustees.

Sec. 9. The amount of the term bills and students' fees shall be determined by the Board of Trustees in annual meeting, and in the absence of action thereon at any annual meeting shall be the same as for the preceding year, but subject to change at the beginning of any year.

Sec. 10. The Superintendent of Buildings and Grounds shall be chosen by the Trustees and shall have immediate supervision of the buildings and grounds of the corporation, under the direction of the Prudential Committee, and shall make annual reports in writing thereon.

ARTICLE IX

Of the Faculties

Section 1. The General Faculty are intrusted with the management of the internal affairs of the College, but must obtain the concurrence of the Trustees in order to introduce any important change affecting the established methods or principles of administration.

Sec. 2. The instruction given by the College is distributed among the following departments, viz.:

(1) The College of Arts and Sciences, which may for convenience be called "the College," and shall have charge of all instruction given by the corporation not specifically conferred on other departments.

(2) The Theological Seminary, which shall have special charge of instruction in theology. (The work of the Slavic Department is also committed to the Theological Seminary).

(3) The Academy, which shall have special charge of the instruction in secondary studies.*

(4) The Conservatory of Music, which shall have special charge of instruction in music.

SEC. 3. The General Faculty shall consist of the President, the Assistant to the President, the Deans, the Director of the Conservatory of Music, the Principal of the Academy, the Secretary, the Librarian, the Registrar, all the Professors, all Acting, Associate, and Assistant Professors in all departments, and all Instructors in the College, Seminary, and Academy. [By amendment adopted June 23, 1913, the Assistant Secretary is a member of the General Faculty.]

SEC. 4.† A permanent appointment as full Professor, Associate Professor, Instructor, or other employe in any department shall be one that has been made to hold during the pleasure of the Board of Trustees.

SEC. 5. The Professors, Acting, Associate, and Assistant Professors, Deans, and Instructors in each department shall constitute the Department Faculty; except that the Academy and Conservatory Faculties shall include all teachers of these departments. [By amendment adopted November 15, 1907, the Secretary, the Registrar, and the Assistant to the President are members of the Faculty of Arts and Sciences; by amendment adopted June 23, 1913, the Assistant Secretary is also a member of this Faculty.]

SEC. 6. Each Departmental Faculty shall, subject to the approval of the General Faculty, prescribe regulations and scholarly requirements for admission to the Department, the studies and courses of study therein, time of residence and attendance, conditions for examination, theses and terms of graduation, and the conditions for any degree other than honorary degrees, and may make recommendations thereon.

SEC. 7. Students will not be admitted to become candidates for a degree in any department until, upon examination by the Faculty of Arts and Sciences, they are found to have educational attainments equivalent to the college entrance requirements, as determined by the Faculty of Arts and Sciences under approval of the General Faculty,

*By vote of the Board of Trustees November 12, 1915, the Academy department is to be discontinued at the close of the year 1915-16.

†As amended June 19, 1911.

subject to alteration and approval by the Board of Trustees. Students seeking to be enrolled in any department other than the Academy, and who, upon examination, are not found to have such attainments, shall be enrolled and separately catalogued.

SEC. 8. The General Faculty may make or approve regulations for the assigning and distribution of the scholarships and aids within the disposition of the corporation, for the allotment of rooms in the dormitories, for the uses of the Library, laboratories, gymnasiums, grounds, buildings and property held and designated for school use, and for the conduct of students, classes, and associations of students in all departments, and for the general welfare, subject to the approval of the Trustees.

SEC. 9. Each Faculty shall report through the General Faculty such permanent or important rules and regulations as it may make to the Board of Trustees at the next regular meeting following their adoption, and all such rules and regulations shall be compiled and printed for the information of the Board from time to time.

SEC. 10. The Treasurer and General Faculty shall jointly report annually in writing to the Trustees the amount of the income received from the scholarship funds and beneficiary aid funds of all kinds, the uses made thereof, and the names of the holders of the more important scholarships, and the standing attained by such holders.

Such reports shall be preserved in separate well-bound books provided for that purpose.

SEC. 11. Every member of the Faculty will, in addition to the special instruction of his chair, render a reasonable share of the general service which comes upon the Faculty in common, so far as the interests of the College can be thus secured. The responsibilities, opportunities, and privileges involved in the representation of the corporation abroad are to be distributed in like manner.

The President and General Faculty will decide all questions that may arise as to the apportionment of such general service, responsibilities, opportunities, and privileges.

SEC. 12. The scholastic control of all the students is committed primarily to the respective teachers to whose classes they are assigned, then to the Faculty of the department concerned, and then to the General Faculty. The Trustees do not receive appeals from the students in regard to any matter of discipline or order administered by the General Faculty.

SEC. 13.* Each instructor has the general control of his own classes, limited by any general regulations adopted by the Faculty of the department concerned or by the General Faculty. An aggrieved pupil always has the privilege of appealing to the Faculty.

SEC. 14. Each instructor in the case of a brief necessary absence from his work is expected to make such arrangement as he can for his classes, securing the approval of the President or of the General Faculty for the arrangement.

SEC. 15. When application shall be made to the Trustees by any teacher for leave of absence for any considerable time with a continuance of salary, or part thereof, the granting of such application imposes the obligation on the applicant to return at the close of such leave and continue in the service of the corporation for a reasonable time thereafter, or refund the salary paid during absence.

ARTICLE X

OF THE GENERAL COUNCIL

†The President, the Assistant to the President, the Deans, the Director of the Conservatory of Music, the Principal of the Academy, the Secretary, the Assistant Secretary, the Librarian, and the permanent full professors and the permanent associate professors of all departments of the College, shall form a General Council, whose duties shall be to receive from the Departmental Councils all nominations for appointments, and to transmit the same to the Board of Trustees with their recommendations. To this Council shall be committed also the approval of departmental Budgets and the preparation of the annual proposal for a Budget for general purposes, except that only two Conservatory professors shall vote on the General Budget. [By vote of the trustees (March 10, 1897), the Council is requested to place nominations of new appointments in the hands of the Trustee Committee on Appointments not less than three weeks before the date of the Trustee meeting.]

ARTICLE XI

OF THE HEADS OF DEPARTMENTS; OF DEPARTMENTAL COUNCILS

SECTION 1. The following officers shall be known as heads of departments of administration, viz.: The Dean of the College of Arts and Sciences, the Dean of the Theological Seminary, the Principal of the Academy, and the Director of the Conservatory of Music.

*As amended June 19, 1911.
†As amended June 19, 1911, and June 23, 1913.

SEC. 2.* The head of each department shall be its executive officer, and Vice-Chairman of its Departmental Council and Faculty. He may attend any meeting of any committee of the Departmental Faculty, and share in its deliberations, but without vote unless made a member of the Committee, and he is *ex-officio* Chairman of the Committee on Appointments and of the Committee on Budget of the Departmental Council, and Chairman of the Committee on Nominations of the Departmental Faculty. He shall have general charge of the interests of the department.

The Dean of the College of Arts and Sciences shall coöperate with the President in the administration of the department. He shall be especially charged with the duty of studying the problems of college education and keeping abreast of the general progress in that field; of collecting, digesting, and recording in permanent form significant data concerning the work of the department, especially with reference to the effectiveness and economy of administration, the conditions and results of teaching, and the scholarship, life, and interests of the student body; and of devising, subject to the approval of the President and the sanction of the Faculty, such improvements in the policy and practice of the department as circumstances shall from time to time require. He shall further have, in addition to the duties imposed upon him by the chairmanships attached to his office, primary responsibility for carrying out all policies and regulations adopted by the departmental Faculty and Council; for the instruction of new teachers of the department in the details of college policy and practice; for securing prompt rendering of customary reports by officers, teachers, and committees; and, in general, for supervision of the routine administration and the necessary clerical work of the department.

*Each Departmental Council shall consist of the President, the head of the department, the Deans, and the permanent full professors and the permanent associate professors of that department, except that in the Academy the Council shall consist of the President, the Principal, and all instructors upon permanent appointment. [By vote of June 23, 1913, the Assistant Secretary was made a member of the College Council.]

The Departmental Council of each department shall have charge of Departmental Appointments and the Departmental Budget. It shall communicate to the Board of Trustees, through the General Council, its acts and recommendations.

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*As amended June 19, 1911, and June 23, 1913.

ARTICLE XII*

Of the Oversight of Student Life

Section 1. Oversight of the life of the men of the College of Arts and Sciences, including discipline and general supervision of the interests of the men, is primarily committed to the Dean of College Men; of the men of other departments to the heads of those departments respectively; all under the direction of the General Committee on Discipline and of the General Faculty.

Sec. 2. The Dean of College Men shall be appointed by the ballot of the Trustees, on the nomination of the General Council, and shall hold office during the pleasure of the Board of Trustees. He shall be *ex-officio* Chairman of the General Committee on Discipline.

Sec. 3. The General Committee on Discipline shall consist of the President, the Dean of College Men, and the heads of the several departments, together with three other members who shall be elected by the General Faculty.

Sec. 4. In cases of discipline which in the judgment of the Committee require the imposition of the penalty of probation, suspension, or expulsion, the action of the Committee shall be subject to approval by the General Faculty before being put into effect. In all other cases the Committee shall act with power.

Sec. 5. Oversight of the life of the women of the several departments, including discipline and general supervision of the interests of the women, is primarily committed to the Dean of College Women, the Dean of Conservatory Women, and the Dean of Academy Women, respectively, under the direction of the Women's Board and the General Faculty.

Sec. 6. The Deans of Women shall be appointed by ballot of the Trustees, on the nomination of the General Council, and shall hold office during the pleasure of the Board of Trustees. They shall be *ex-officio* members of the Women's Board, and the Dean of College women shall be *ex-officio* Chairman of the Women's Board.

Sec. 7. The Deans of Women, shall, in addition to having primary responsibility for oversight of the life of the women of their respective departments, constitute a committee of conference on all the general interests of the women of the College. All cases of discipline requiring action by the Women's Board shall be brought first before this committee, and action shall be recommended by them to the Board.

*As amended November 17, 1911.

The Dean of College Women shall be *ex-officio* Chairman of the committee.

Sec. 8. The Women's Board shall consist of the three Deans of Women above mentioned, together with six other members, who shall be chosen by the General Faculty from the Women's Advisory Committee.

Sec. 9. The Women's Board shall hold meetings at the call of the Dean of College Women, or upon the request of three other members. The Board shall constitute an advisory body for the Deans of Women on all matters pertaining to the welfare and the conduct of the women of the college.

Sec. 10. The Women's Board shall from time to time recommend to the General Faculty the adoption of such rules and regulations as may be found necessary or desirable for the direction of the life of the women of the College. In cases of discipline, the Women's Board shall, with the concurrence of the President and the Head of the Department concerned, act with power; but the aggrieved person shall always have the right to appeal from the Board to the General Faculty.

Sec. 11. The women of all Faculties shall constitute a Women's Advisory Committee of which the Dean of College Women shall be *ex-officio* Chairman. The purpose of this organization shall be to study the needs of the women and the possibilities of their higher development. Recommendations of the Committee shall be made through the Women's Board to the General Faculty. Regular meetings of the Committee shall be held three times a year; other meetings shall be held at the call of the Dean of College Women or upon request of three other members of the Committee.

ARTICLE XIII

Of Degrees; of the Committee on Honorary Degrees

Section 1. The Trustees will consider eligible for the degree of Bachelor of Arts (A. B.) any person nominated by the Faculty of Arts and Sciences through the General Faculty who has completed a four years' course of study in the arts and sciences and passed examinations satisfactory to the Departmental Faculty.

This shall not preclude the conferring of any other primary degree on proper occasion for work performed.

Sec. 2. The trustees will consider eligible for the degree of Bachelor of Divinity (D. B.) any person nominated by the Faculty of the

Theological Seminary through the General Faculty who has theretofore received a degree from an institution approved for the purpose by the Departmental Faculty, representing four years of study in the arts and sciences, and has completed a three years' course of study in theology and passed examinations satisfactory to the Departmental Faculty.

SEC. 3. The Trustees will consider eligible for the degree of Bachelor of Music (Mus.B.) any person nominated by the Faculty of the Conservatory of Music through the General Faculty who has theretofore, upon examination by the Faculty of Arts and Sciences, been found to have educational attainments equivalent to the College entrance requirements, and has completed a course of study in music equivalent to at least four years' work therein, and passed examinations satisfactory to the Departmental Faculty.

SEC. 4. Certificates of merit may be given by the General Faculty upon nomination of the Departmental Faculty for work done by students in any department.

SEC. 5. The Trustees will consider eligible for the degree of Master of Arts (A.M.) any person nominated by the General Faculty and holding the degree of A. B. from this corporation, or holding a degree deemed equivalent thereto by the General Faculty, who, while in residence, shall have completed a one year's course of study in the arts and sciences and passed examinations satisfactory to the Faculty of the College of Arts and Sciences, and shall have satisfactorily met the requirements published in the annual catalogue governing graduate study.

SEC. 6.* The trustees will consider eligible for the degree of Master of Divinity (S.T.M.) any person nominated by the Faculty of the Theological Seminary through the General Faculty and holding the degree of Bachelor of Divinity (D.B.) from this corporation, or holding a degree deemed equivalent thereto by the General Faculty, who, while in residence, shall have completed a fourth year of theological study and passed examinations satisfactory to the Faculty of the Theological Seminary.

SEC. 7. The Board may at any time, by a vote of three-fourths of the members present, confer *honoris causa* on those whom they may deem worthy, such honors and degrees as are usually conferred *honoris causa* in similar institutions.

SEC. 8. A committee on honorary degrees shall be appointed annually, consisting of the President and two Trustees.

*As amended June 23, 1913.

SEC. 9. All proposals for honorary degrees shall be made through the President of the College and shall be in writing, stating the reasons upon which the proposal is based.

SEC. 10. Proposals for honorary degrees shall be referred by the President to the Committee and also to a similar Committee appointed by the General Faculty from its own members. If either Committee recommends the proposal to the Board action will be taken thereon.

The reasons should show the person proposed entitled to the honor upon one or more of the following grounds:

(1) That he is the author of some original work of such a character as to leave no doubt of the learning, attainments, and literary and professional ability of the writer; or,

(2) That in addition to the other claims for recognition for distinguished ability and learning he holds an honorable office, position in some university, college or school of law, of medicine, of theology, or of science, of good repute in this country or elsewhere; or,

(3) That he is a man of acknowledged eminence in some one or more of the following directions, viz.: (*a*) in letters, or (*b*) in science, or (*c*) in some of the learned professions, or (*d*) in the public service.

ARTICLE XIV

OF THE MEETINGS OF THE BOARD OF TRUSTEES

SECTION 1. The regular meetings of the Board shall be as follows:

The annual meeting,* which shall occur in Oberlin on the second Friday before Thanksgiving Day each year.

The semi-annual meeting, which shall occur in Oberlin on the Monday preceding commencement.

SEC. 2. Special and called meetings may be held at any time in accordance with the charter.

If at any time between regular meetings the President shall ascertain that a majority of the Trustees prefer a later date for any regular meeting, the President may postpone the same from the dates fixed above to any date not more than four weeks thereafter, and of which regular notice shall be given.

SEC. 3. No nomination of a member of the Board of Trustees (other than the Alumni Trustees), nor of a permanent professor, shall be ratified by the Trustees, and no person shall be elected a President,

*As amended June 17, 1907.

Treasurer, Secretary, head of department, a Trustee, or permanent professor except at a regular meeting, or at a special meeting held on at least seven days' notice.

SEC. 4. There shall always be presented to the Board of Trustees in well-bound books kept for that purpose, signed copies of such votes of the Committees and Faculties as are laid before the Board of Trustees for confirmation.

SEC. 5. *Order of Business.*

At the regular meetings of the Board the order of business, unless changed by vote, shall be as follows:

(1) Call to order; prayer; roll-call.
(2) Reading of minutes of preceding meeting and action thereon.
(3) Reading of proceedings of Prudential Committee and action thereon.
(4) Reports (with their Exhibits).
    (*a*) of President;
    (*b*) of Treasurer;
    (*c*) of Auditing Committee;
    (*d*) of Investment Committee.
(5) Reports of other standing committees.
    (*a*) of Committee on Appointments;
    (*b*) of Committee on Nomination of Trustees;
    (*c*) of Committee on Honorary Degrees.
(6) Report of Special Committees.
(7) Report of Advisory Committees.
(8) Unfinished Business.
(9) New Business.

SEC. 6. Roberts' Rules of Order, so far as applicable, shall be the parliamentary authority of the Board.

ARTICLE XV

OF THE ADVISORY COMMITTEES

SECTION 1. Permanent Advisory Committees shall be chosen for each of the following departments or branches of the corporation and its work:

a. The Seminary.
b. The Academy.
c. The Conservatory.
d. The Course of Instruction in Drawing and Painting.

e. The Library.
f. The Ancient Languages.
g. The Modern Languages.
h. Philosophy.
i. History.
j. Mathematics.
k. The Biological Sciences.
l. The Physical Sciences.
m. The Athletics, Discipline, Gymnasium, and Physical Training for Men.
n. The Athletics, Discipline, Gymnasium, and Physical Training for Women.
o. Economics, Political Science, and Sociology.

Sec. 2. Each Advisory Committee shall have power to visit the department or portion of the College to which it is assigned, and to inspect and examine the work and conditions therein.

Sec. 3. Each Advisory Committee shall make a report, in writing, at least once in three years, and also at such other times as the Committee may desire, or the Board of Trustees may from time to time request, to the Board of Trustees upon the work, conditions, merits, and needs of the department or portion of the College to which it is assigned. Such report may also embrace any recommendations or other matters which the Committee see fit to incorporate therein. Such Committee may also make further reports whenever they desire or the Board of Trustees may request. The reports of the Advisory Committee shall be preserved in well-bound books for that purpose and suitably indexed for the use of the Trustees and officers of instruction and government of the corporation.

Sec. 4. Such reports shall be filed with the Secretary of the Board of Trustees at least three weeks prior to the annual meeting of the Board, and in the discretion of the President be distributed to the Trustees with the other reports.

Sec. 5. Each Advisory Committee shall consist of three members, one of whom shall be a member of the Board of Trustees. The Committees shall be chosen as follows: At the meeting of the Board of Trustees occurring next after the adoption hereof, the Board of Trustees shall appoint the members of each Advisory Committee. The names of the members of each Committee so appointed shall thereupon be divided by lot into three classes, consisting of one member whose term shall be for three years, one member whose term shall be for two years, and one member whose term shall be for one year. At each

annual meeting of the Board of Trustees thereafter the successors to the members whose terms expire thereat shall be chosen for the term of three years.

SEC. 6. The term of each member of a Committee shall begin at the close of the meeting at which he is appointed.

SEC. 7. Any vacancy in the Advisory Committees occurring when the Board of Trustees is not in session may be filled by appointment by the President for the unexpired term.

SEC. 8. The meetings of the Committees shall be held at such time as they may elect or provide by rule therefor, or as the President from time to time requests.

SEC. 9. The several Advisory Committees may, at the request of the Board of Trustees, or at their own option, assemble at any time for conference together, in which case they shall organize in accordance with parliamentary usage for temporary organization.

ARTICLE XVI

OF AMENDMENTS

Amendments to these By-Laws may be adopted at any regular meeting, or at any special meeting notice of which with the amendment proposed shall have been given at least seven days before the meeting.

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